

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

---

FOREST LABORATORIES, INC., ET AL.,

Plaintiffs,

vs.

COBALT LABORATORIES, INC., ET AL.,

Defendants.

---

FOREST LABORATORIES, INC., ET AL.,

Plaintiffs,

vs.

BARR LABORATORIES, INC., ET AL.,

Defendants.

---

FOREST LABORATORIES, INC., ET AL.,

Plaintiffs,

vs.

DR. REDDY'S LABORATORIES, INC., ET AL.,

Defendants.

---

FOREST LABORATORIES, INC., ET AL.,

Plaintiffs,

vs.

ORGENUS PHARMA, INC.,

Defendant.

---

FOREST LABORATORIES, INC., ET AL.,

Plaintiffs,

vs.

APOTEX, INC., ET AL.,

Defendants.

---

C.A. No. 08-21-GMS-LPS  
(Consolidated)

**STIPULATION AND ORDER GRANTING PERMISSION  
TO FILE SUPPLEMENTAL BRIEFING IN CONNECTION WITH  
DEFENDANT ORCHID INDIA'S MOTION TO DISMISS**

Plaintiffs Forest Laboratories, Inc., Forest Laboratories Holdings, Ltd., Merz Pharma GmbH & Co. KGaA, and Merz Pharmaceuticals GmbH (collectively, "Plaintiffs") and Defendants Orchid Chemicals & Pharmaceuticals Ltd. ("Orchid India") and Orchid Pharmaceuticals, Inc. ("Orchid Pharma") (collectively, "Defendants") hereby stipulate as follows:

WHEREAS Orchid India moved to dismiss Plaintiffs' claims against it on March 3, 2008 for lack of personal jurisdiction (D.I. 43);

WHEREAS Plaintiffs and Defendants entered into a stipulated jurisdictional discovery schedule (D.I. 64) on April 14, 2008;

WHEREAS Plaintiffs filed their opposition to Orchid India's motion to dismiss on June 27, 2008 (D.I. 100);

WHEREAS Defendants and Orgenus Pharma Inc. have represented to Plaintiffs that they located certain documents after Plaintiffs' opposition to Orchid India's motion to dismiss was filed, and have subsequently produced those documents to Plaintiffs; and

WHEREAS Plaintiffs were therefore unable to address or otherwise rely upon these documents in support of their opposition.

Now, THEREFORE, it is hereby Stipulated and Agreed that:

(1) Plaintiffs shall be permitted to file a supplemental opposition brief concerning documents produced after Plaintiffs' opposition to Orchid India's motion to dismiss was filed, and any previously-produced documents related thereto. Plaintiffs' brief shall be limited to five (5) pages and shall be due fourteen (14) calendar days after the entry of this Stipulation and Order.

(2) Orchid India shall be permitted to file a supplemental reply brief to Plaintiffs' supplemental opposition brief. Orchid India's supplemental reply shall be limited to five (5) pages and shall be due fourteen (14) calendar days after the submission of Plaintiffs' supplemental opposition brief.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

*/s/ Maryellen Noreika*

---

Jack B. Blumenfeld (# 1014)  
Maryellen Noreika (# 3208)  
1201 N. Market Street  
P.O. Box 1347  
Wilmington, DE 19899  
(302) 658-9200  
jblumenfeld@mnat.com  
mnoreika@mnat.com

*Attorneys for Plaintiffs*

*Of Counsel:*

John Desmarais  
Gerald J. Flattmann, Jr.  
Melanie R. Rupert  
KIRKLAND & ELLIS LLP  
Citigroup Center  
153 East 53rd Street  
New York, NY 10022  
(212) 446-4800

F. Dominic Cerrito  
Daniel L. Malone  
Eric C. Stops  
JONES DAY  
222 East 41st Street  
New York, NY 10017  
(212) 326-3939

POTTER ANDERSON & CORROON LLP

*/s/ David E. Moore*

---

Richard L. Horwitz (# 2246)  
David E. Moore (# 3983)  
Hercules Plaza, 6th Floor  
1313 N. Market Street  
Wilmington, DE 19801  
(302) 984-6000  
rhorwitz@potteranderson.com  
dmoore@potteranderson.com

*Attorneys for Orchid Defendants*

*Of Counsel:*

LATHAM & WATKINS LLP  
Kenneth G. Schuler  
Sears Tower, Suite 5800  
233 South Wacker Drive  
Chicago, IL 60606

Terrence J. Connolly  
885 Third Avenue, Suite 1000  
New York, NY 10022

Darryl H. Steensma  
12636 High Bluff Drive, Suite 300  
San Diego, CA 92130

SO ORDERED this \_\_\_\_\_ day of September, 2008.

---

United States Magistrate Judge